

## EMINENT DOMAIN.

A grant of the power of eminent domain is one which must be construed strictly; it cannot be exercised for any but a public purpose; and, in general, does not admit of any repetition. *Binney's Case*, 95.

## EVIDENCE.

1. The probate of a will, in relation to real estate, considered as *prima facie* evidence. *Townshend v. Duncan*, 40.
  2. No parol proof, nor any part of the proceedings of either branch of the Legislature, can be admitted to explain the language of an Act of Assembly; except as to private Acts, in which there may be a latent ambiguity. *Binney's Case*, 95.
  3. A person who had been absent, and not heard from for seven years, was presumed to be dead. *Tilly v. Tilly*, 417.
- See PRACTICE, 14, 15.

## EXECUTORS AND ADMINISTRATORS.

See DEBTOR AND CREDITOR, 19, 21.

JUDGMENT.

PLEADING, 12.

## FRAUD.

See DEBTOR AND CREDITOR, 2, 5, 52.  
STATUTES, 2.

## GUARDIAN AND WARD.

1. Duties and powers of the guardian *ad litem* of an infant defendant. *Hammond v. Hammond*, 287.
  2. When the answer of an infant defendant by guardian is conclusive against him. *Ib.*
  3. This Court may appoint a guardian for a female infant above eighteen and under twenty-one years of age. *Waring v. Waring*, 637.
- See INFANT, 10, 11.  
PLEADING, 4.  
PRACTICE, 1.

## HABEAS CORPUS.

See JURISDICTION, 4.

## HUSBAND AND WIFE.

1. A husband, who can derive no pecuniary benefit from a decree to account, must, nevertheless, be permitted to attend, and to except, for the protection of his own rights. *Helms v. Franciscus*, 519.
2. The binding and peculiar nature of the contract of marriage. *Ib.*
3. To preserve the public peace and morals, and upon the ground of a stronger policy overruling a weaker one, a separation of husband and wife may be allowed. *Ib.*
4. A *feme covert* may, in the prescribed mode, contract for her property, or, in equity, dispose of her separate estate. *Ib.*
5. The nature of a separate maintenance and of pin-money. *Ib.*
6. A separate maintenance may be awarded on the ground of misconduct of the husband. *Ib.*
7. The jurisdiction of this Court as to alimony. *Ib.*
8. This Court may give to the wife a separate maintenance out of her own estate. *Ib.*